

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DONALD MICHEL,

Plaintiff,

-v-

9:15-cv-1187
(DNH/ATB)

SGT. MANNA, Correctional Sergeant, Auburn
Correctional Facility; LT. TABATE, Hearing
Officer, Auburn Correctional Facility; and
HAROLD GRAHAM, Superintendent, Auburn
Correctional Facility,

Defendants.

APPEARANCES:

DONALD MICHEL
Plaintiff pro se
12-A-1124
Clinton Correctional Facility
P.O. Box 2000
Dannemora, NY 12929

HON. ERIC T. SCHNEIDERMAN
New York State Attorney General
Attorney for Defendants
615 Erie Boulevard West
Suite 102
Syracuse, NY 13204

TIMOTHY P. MULVEY, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Donald Michel brought this civil rights action pursuant to 42 U.S.C.

§ 1983. On June 27, 2017, the Honorable Andrew T. Baxter, United States Magistrate

Judge, advised by Report-Recommendation that plaintiff's amended complaint be dismissed in its entirety for failure to state a claim. Plaintiff filed timely objections to the Report-Recommendation.

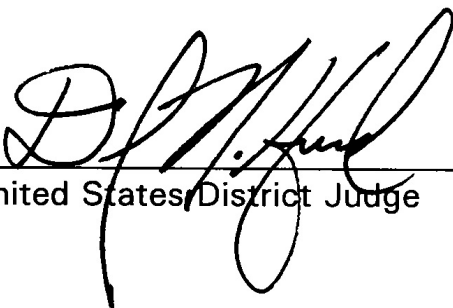
Based upon a de novo review of the portions of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Plaintiff's amended complaint is DISMISSED in its entirety; and
2. The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.



United States District Judge

Dated: September 20, 2017
Utica, New York.